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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Anthony Meritt Posey,

Petitioner,

v.

Dwight Neven, et al.,

Respondents.

Case No. 2:15-cv-01482-RFB-GWF

**Unopposed Motion for Extension
of Time to File Response in
Opposition to Motion to Dismiss**

(Second Request)

Petitioner, Anthony Meritt Posey, by and through counsel, C.B. Kirschner, Assistant Federal Public Defender, moves this Court for an extension of time of sixty (60) days from October 20, 2018, to and including December 19, 2018, to file a Response in Opposition to Respondents' Motion to Dismiss.

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5. Counsel has upcoming filing deadlines in ten other pending habeas cases and has an oral argument before the Ninth Circuit on November 16, 2018 in

1 *Noguera v. Smith*, case no. 17-16185. Counsel will also be out of town for the
2 Thanksgiving holiday from November 21 to November 27, 2018.

3 6. On October 17, 2018, Deputy Attorney General Erin Bittick was
4 contacted via email and stated she did not object to the extension, but the lack of
5 objection should not be construed as a waiver of any procedural defenses.


6 7. For the above stated reasons, Petitioner respectfully requests this
7 Court grant the request for an extension of time of sixty (60) days and order the
8 Response in Opposition to be filed on or before December 19, 2018.

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10 Dated this 18th day of October, 2018.

11 Respectfully submitted,
12 Rene L. Valladares
13 Federal Public Defender

14 /s/ C.B. Kirschner
15 C.B. Kirschner
16 Assistant Federal Public Defender

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20 IT IS SO ORDERED:

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22 RICHARD F. BOULWARE, II
23 United States District Court
24 DATED: October 19, 2018.
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Participants in the case who are registered CM/ECF users will be served by the CM/ECF system and include: Erin Bittick

Anthony Posey
1091115
Lovelock Correctional Center
1200 Prison Road
Lovelock, NV 89419

/s/ Jessica Pillsbury
An Employee of the
Federal Public Defender